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The PRESIDING OFFICER. The proponents have 2 minutes.

Mr. ROTH. Mr. President, I yield myself 2 minutes.

I am shocked at what I have just heard. I am shocked at the concept that the Senate has no voice in the appropriation process. It was always my understanding that the Appropriations and the other committees were the servants of the Senate as a whole.

Now, time and again—

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. ROTH. I will not yield.

Time and again I have been asked to waive the 3-day notice. How can you study these complex matters if you waive the 3-day notice you are given to study the basis of these appropriations?

But more importantly the idea that anybody who tries to be fiscally responsible is going to have his project cut is a threat that I think is a most serious threat to every Member of this Senate.

We are not asking for any programs to be cut out. We are asking for some efficiency in Government. People in the private sector, families, are finding they have to live, they have to make their budgets meet, even though there is 9 percent inflation. That is where the toughness comes in.

To say that anyone who comes in here is denying the good work of that subcommittee is pure hogwash. We have a right to make the across-the-board cuts. We have a right to ask people to be more efficient and effective, and that is what we are asking here, and that is what the American people are asking.

You know if it is shocking to me to say to us who are on this subcommittee that we cannot use this approach, when the Director of OMB in a statement 1 week ago said that we could cut \$5 billion from the budget. He said, and I quote:

I believe that by a combination of tighter estimates, eliminating the discretionary spending increases over the President's budget implicit in the First Resolution and, perhaps—

I emphasize this—

and, perhaps, even an across-the-board cut we could achieve a substantial reduction in 1979 spending.

This Director has the entire OMB working for him, and he talks about across-the-board cuts. Yet we are told, if we come in under these circumstances, that we are irresponsible.

Mr. President, I just ask that we recognize the importance of the whole process of the Senate, and that means that the Senate itself has a right to work its will on appropriations, just as in my Finance Committee. We work months on taxes, and yet Senators feel free to change it.

The PRESIDING OFFICER. All time has expired.

Mr. HUDDLESTON. Mr. President, I move that the amendment be laid on the table.

Mr. ROTH. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table. The yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from South Dakota (Mr. ABOUREZK), the Senator from Minnesota (Mrs. HUMPHREY), the Senator from New York (Mr. MOYNIHAN), and the Senator from Georgia (Mr. NUNN) are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Mrs. HUMPHREY) would vote "yea."

Mr. STEVENS. I announce that the Senator from Michigan (Mr. GRIFFIN), the Senator from New York (Mr. JAVITS), and the Senator from Illinois (Mr. PERCY) are necessarily absent.

The result was announced—yeas 68, nays 25, as follows:

[Rollcall Vote No. 300 Leg.]

YEAS—68

| | | |
|-----------------|------------|------------|
| Allen | Gravel | Metzenbaum |
| Anderson | Hansen | Muskie |
| Baker | Hart | Nelson |
| Bardlett | Haskell | Packwood |
| Bayh | Hatfield | Pearson |
| Bellmon | Mark O. | Pell |
| Bentsen | Hatfield | Randolph |
| Brooks | Paul G. | Ribicoff |
| Bumpers | Hathaway | Stegis |
| Burdick | Heinz | Strom |
| Byrd, Robert C. | Hodges | Sasser |
| Cannon | Huddleston | Schmitt |
| Case | Inouye | Sparkman |
| Chiles | Jackson | Stafford |
| Church | Johnston | Stennis |
| Clark | Kennedy | Stevens |
| Cranston | Leahy | Stevenson |
| Culver | Magnuson | Tower |
| DeConcini | Mathias | Wallop |
| Domenici | Matsunaga | Welcker |
| Durkin | McClure | Williams |
| Eagleton | McGovern | Young |
| Ford | McIntyre | |
| Glenn | Meicher | |

NAYS—25

| | | |
|---------------|-----------|-----------|
| Eiden | Goldwater | Proxmire |
| Ryd | Hatch | Both |
| Harry F., Jr. | Hayakawa | Schweiker |
| Chafee | Helms | Scott |
| Curtis | Hollings | Stone |
| Danforth | Laxalt | Tshmadge |
| DeLo | Long | Thurmond |
| Eastland | Lugar | Zorinsky |
| Gara | Morgan | |

NOT VOTING—7

| | | |
|-----------|----------|-------|
| Abourezk | Javits | Percy |
| Griffin | Moynihan | |
| Humphreys | Nunn | |

So the motion to lay on the table (UP Amendment No. 1619) was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. HUDDLESTON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. Bumpers). The Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, there is one program in this appropriations bill which is surfeited with funds. That is the money for the National Endowments—the Endowment for the Arts and the Endowment for the Humanities.

While the rest of the Government is getting an average increase of 10 percent over last year—and that includes

the increase due to inflation—the National Endowments are getting an increase of almost 21 percent.

This is not the first time such increases have come to them. Last year they got a 22.7-percent increase. The year before that they got a 15-percent increase. In the period of fiscal years 1971 through 1975, their increases were 95 percent, 33 percent, 45 percent, and 34 percent, respectively.

I ask unanimous consent that a table showing both the appropriations in millions of dollars and the percentage change from the previous year for the Endowments be printed at this point in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

TABLE 1.—The cost of the National Endowments for the Arts and Humanities

| Year | Appropriation (millions) | Percent change from previous year |
|------|--------------------------|-----------------------------------|
| 1979 | \$295.3 | 20.8 |
| 1978 | 244.5 | 22.7 |
| 1977 | 199.2 | 15.5 |
| 1976 | 172.4 | 8.3 |
| 1975 | 159.2 | 34.5 |
| 1974 | 118.3 | 45.2 |
| 1973 | 81.5 | 33.2 |
| 1972 | 61.2 | 94.9 |
| 1971 | 31.4 | 78.4 |
| 1970 | 17.8 | 25.4 |
| 1969 | 14.2 | 16.4 |
| 1968 | 12.2 | 9.9 |
| 1967 | 11.1 | 94.7 |
| 1966 | 5.7 | |

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Will the Senator suspend until there is order in the Chamber? Will Senators please retire to the cloakrooms to continue their conversations?

The Senate is still not in order. Please retire to the cloakrooms or the hallways so the Senator can be heard. He has the right to be heard.

Mr. PROXMIRE. As can be seen, there has been an explosion in these programs. In 1969 their appropriations were \$14.2 million. In 1979 they are asking for \$295 million.

There are a number of reasons why such increases are undesirable. First, no program can expand at this rate and use the funds efficiently. It just cannot be done and has not been done, as I will show shortly.

Second, the principal recipients of the funds from the Foundation are those who can afford to pay for the pleasure of viewing the arts. Those who attend the theater, the ballet, the symphony concerts, and who attend the galleries are routinely relatively well-to-do persons who should pay for the arts as they pay for their dinners after attending the theater, rather than receiving a subsidy from the general taxpayers.

Third, in looking over the variety of grants, I am struck by the degree to which money and funds go for the administration of the arts—to hire the managers and the public relations persons—and not to the artists themselves.

Mr. HUDDLESTON. May I inquire how much time remains on this amendment?

The PRESIDING OFFICER. Two minutes to the proponents and 4 minutes to the opponents.

Mr. STEVENS. I will keep quiet.

Mr. ROTH. How many minutes do I have remaining?

The PRESIDING OFFICER. Six minutes for the proponents and 4 minutes for the opponents; 6 and 4.

Mr. ROTH. I yielded only 3 minutes to the Senator from Florida. I had 8 minutes so that left me 5 minutes. I did not yield any additional time.

Mr. CHAFEE. The Senator came out with 6 minutes.

The PRESIDING OFFICER. The Senator has 6 minutes remaining.

Mr. ROTH. All right. I withdraw my comment.

Mr. CHAFEE. Mr. President, I ask unanimous consent that Miss Nancy Barrow of my staff be accorded the privileges of the floor during the consideration of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAFEE. As I follow this debate I find it a little confusing. The point that seems to be made here by the Senator from Alaska is they worked terribly hard on this bill, and they have, and no one argues about that, and then the majority leader comes on the floor and says if anybody votes for this Roth amendment he is going to get even with him by seeing that anything he is interested in in their States is going to get cut.

Mr. STEVENS. I said it first.

Mr. CHAFEE. The Senator said it first, and he came in strong. It made a duet, they were in harmony. That seems to me to be quite a vigorous threat around here. In the first place, there is nothing in it for Rhode Island.

Mr. FORD. Mr. President, will the Senator from Rhode Island give me 5 seconds?

Mr. CHAFEE. On the Senator's time.

Mr. FORD. I do not have any time.

I believe the majority leader, so I am going to vote against the amendment.

Mr. CHAFEE. The Senator believes him. Well, I do not question him. I just question that kind of approach. The approach seems to be that these people who have worked so terribly hard on a bill, that that is it; that the rest of us cannot come in and attempt to cut it. If we do attempt to cut it there is going to be the big knife going to be out for us. I am not sure that is a good way—

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. CHAFEE. I will yield on the Senator's time.

Mr. ROBERT C. BYRD. I do not have any time, but I will take a minute away.

Mr. HUDDLESTON. I yield 1 minute.

Mr. ROBERT C. BYRD. The problem here is that we are being confronted on every appropriation bill that is being called up with one of these 2 percent or 3 percent or 5 percent across-the-board slashes, and I think it is about time to say that inasmuch as this bill that I happen to manage as chairman of the Appropriations Subcommittee on the In-

terior—I cannot speak for the other subcommittees—but inasmuch as this is the bill that I happen to manage, in this instance being handled in my behalf by the distinguished Senator from Kentucky—that this subcommittee has worked over this bill for months, and it has always been very attentive to the pleas of Members who have problems in their States.

As the distinguished Senator from Alaska has said, the add-ons have been compensated for by cuts in other areas. If we have a 2 percent reduction the people downtown are likely to make their cuts in areas that the Members of the Senate feel are most beneficial to their States.

Mr. CHAFEE. I appreciate that, Mr. President. I appreciate what is being done. I went to the Senator from Kentucky, I had an add-on myself—it was not particularly for my State—so I understand that. But, at the same time, if the point is being made here that those who espouse 2 percent cuts in an effort to make this budget, Federal budget, somewhat in balance are going to have the big knives out for them on anything they are interested in, we are working in a new ball game around here.

Mr. ROBERT C. BYRD. The Senator is working in a new ball game on this particular amendment, I will tell him.

Mr. CHAFEE. Those are the risks we take. But I think the most serious single problem facing this Nation is inflation, the fact that the Federal budget is in a \$50 billion deficit. The modest attempts that are being made by across-the-board 2 percent cuts, I wish we could do it in a more genteel way, a more skillful way, but that is about the only way we have.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. CHAFEE. I have only 2 minutes. The majority leader took 35 seconds of it from the sky, but it came from me. How about the Senator from Kentucky yielding time?

The PRESIDING OFFICER. Who yields time?

Mr. HUDDLESTON. How much time do I have?

The PRESIDING OFFICER. Three minutes.

Mr. CHAFEE. How about yielding 1 minute?

Mr. HUDDLESTON. Mr. President, I yield myself a minute and a half.

Mr. CHAFEE. I am off the air. [Laughter.]

Mr. HUDDLESTON. Quite aside from any risk that any Member might take within his own State and on his own projects in voting for this amendment, there is ample reason to accept what has been said by the distinguished Senator from Alaska and the distinguished Senator from West Virginia about the effort that has been made and about the nature of the appropriations contained in this bill.

We are below the budget by \$1.3 billion, and below the House allowance by nearly \$1.2 billion.

I agree that the people would like for us to hold down Federal spending. But they have a concern about where we hold it down, and they expect, I believe,

this body and its committees to exercise judgment in how appropriations ought to be made and for what purposes, and that is what we are trying to do here.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. HUDDLESTON. I yield.

Mr. ROBERT C. BYRD. Is that one of the purposes of the various subcommittees in the Appropriations Committee and the Appropriations Committee itself, to study these projects and programs and arrive at a reasonable judgment through the budgetary process as to what appropriations should be made?

Mr. HUDDLESTON. I have certainly been laboring under that comprehension.

Mr. ROBERT C. BYRD. This coming to the floor and taking a meat ax cut of 1, 2, 5 percent, what does that do to the budgetary process?

Mr. HUDDLESTON. It is a derogation of the individuals who have to vote.

If I have any time remaining, and what time I have remaining, I yield to the Senator from Maine.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. MUSKIE. I just want to say to my good friend from Rhode Island we do have the kind of process to which the Senator refers. The meat ax approach is the approach we took, the President has urged us to take, before we established the budget process. It never worked; it never worked once because it could not work that way.

Now, 2 percent, you say we ought to always be able to cut 2 percent. All right, so let us take that argument. We cut 2 percent. Then someone else offers another amendment which says, "Well, surely, we could cut 2 percent from that." So we knock that down by 2 percent, and by that salami tactic you can cut the whole budget. But the purpose of the budget process—and I am totally against these across-the-board, meat-ax cuts because I think they will be destructive of the budget process. I can imagine committees padding their budgets, and that is effectively what seems to be going on here, against this automatic 2 percent budget cut that is going to be brought up on the floor, and that is going to make the budget process a farce.

We are in the Budget Committee marking up, and we are going to begin tomorrow on the second resolution, and we go into detail, as much detail as the Budget Act gives the Senate Budget Committee. We then allocate funds to the subcommittees of the Appropriations Committee, leaving aside reserves in order to keep the pressure on them, and it is their job line item by line item to do this job.

Then Senators come on the floor and say, "No matter how carefully that was done we can still cut 2 percent." Why not 5 percent? Why not 10 percent? Why not 20 percent? If you assume that a careful job has not been done in the first place, then junk the whole process.

The PRESIDING OFFICER. All time has expired.

Mr. HUDDLESTON. Mr. President, all time is yielded back.

TAX DEDUCTIONS ARE IN ADDITION
TO THESE FUNDS

Fourth, through our system of tax deductions for charitable contributions, this country makes huge contributions to the arts through the Tax Code.

Time after time, I hear it said that this country does not support the arts to the same degree as other countries. But that argument overlooks the extent to which the arts in this country are subsidized through the tax system.

I have made an inquiry into this subject. Out of an estimated \$20 billion in charitable contributions reported annually, I estimate and that as much as \$3 billion go to institutions like those supported by the National Endowments. The tax subsidy is thus about \$1.5 billion, which puts the United States giving to the arts and support of the arts among the highest of all the countries throughout the world.

It just is not true that this country, through our private giving and tax subsidies, neglects the arts. That is overlooked when these arguments are made.

Fifth, the increases for particular programs are amazing. Under goal III of the National Endowment for the Arts, theater receives a 44-percent increase over last year, the humanities media grants program gets a 43-percent increase, and cultural institutions comes in for a 45-percent increase.

There is a 75-percent increase in pay for the Humanities Councils—at a time when we are urging new wage contracts to be limited to smaller amounts than in the past—and a 45-percent increase for printing. The humanities want a 54-percent increase in challenge grants. At a time when we are calling on others to tighten their belts, these increases are out of line and inappropriate.

INFLUENCES WORK

Finally, the substitution of public for private funds for the arts and humanities cannot help but influence the type of work produced. The examples are legion and I will cite a few.

Last year the Humanities Endowment spent \$2 million for grants to well-heeled doctors, lawyers, and school administrators to attend tuition-free, vacationlike, month-long humanistic bull sessions at some of the choicest vacation spots in the country. This year, the Endowment wants to expand the program by 26 percent in order to add businessmen to those paid to contemplate the humanities in these settings.

The National Endowment for the Humanities, through a grant from the State Humanities Council of Virginia (the funds were Federal funds) spent \$2,500 to study why people are rude, cheat, and lie on the tennis courts.

The arts endowment funded a \$6,025 grant to film the throwing of crepe paper out of an airplane in order to capture an artistic experience.

The National Endowment for the Humanities spent Government funds for a surprise party for its director. Those who blew the whistle were so harassed that they resigned.

The National Endowment for the Humanities has given grants to the League of Women Voters, a highly reputable and

amazingly constructive organization, to study the Federalist Papers and to enable four Western States to "promote public consideration and discussion of the * * * Columbia River Basin."

I have no objection if private institutions want to do these things. I would not censor them. But I do object to the use of taxpayers' funds for such uses.

PRIORITIES OUT OF LINE

For a number of years, the question of spending and priorities has been an important issue. We have rampaging inflation, great needs, and limited funds.

It is not possible for the Endowments to use their funds efficiently and for important public purposes when the amounts have exploded as they have over the lifetime of these institutions.

Mr. President, let me conclude by saying that I will not offer an amendment to this bill, because I have discussed this with my colleagues and I find that I would get very little support for it. This bill has been heavily lobbied by the people who receive these funds. But I serve notice that if the Endowments come forward with anything like these increases next year, they are in for a long and strenuous fight.

I hope the Office of Management and Budget will make that unnecessary by limiting the funds for fiscal year 1980 to this year's levels by actually cutting them back.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. DURKIN. Will the Senator yield for a unanimous-consent request?

Mr. HASKELL. I yield.

Mr. DURKIN. Mr. President, I ask unanimous consent that Ed Tanzman and Chris Burke of my staff be accorded the privileges of the floor for the rest of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT NO. 1620

(Purpose: To provide initial funding for oil shale commercialization tests)

Mr. HASKELL. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Colorado (Mr. HASKELL) proposes an unprinted amendment numbered 1620.

Mr. HASKELL. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

"Provided further, That \$1,400,000 shall be available for oil shale commercialization tests only upon enactment of S. 419 or similar legislation."

On page 38, delete line 21, and insert in lieu thereof: "\$188,581,000, of which \$158,262,000".

(Later the following occurred:)

Mr. HUDDLESTON. Mr. President, I ask unanimous consent that on the first amendment of the distinguished Senator from Colorado, (UP Amendment No. 1620) which was adopted just a short time ago, that it be in order for that

amendment to be presented even though it amended a figure that already had been amended, and that this motion be placed prior to the adoption of that amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Conclusion of earlier proceedings.)

Mr. HASKELL. Mr. President, I have talked with the majority manager of the bill, the minority manager of the bill, and the chairman of the subcommittee. I believe they find it satisfactory. What this amendment does is appropriate \$1.4 million for an oil shale demonstration contingent upon S. 419, which we passed by a 3-to-1 margin the other day, being adopted by the House of Representatives. I believe it is satisfactory to the majority manager of the bill, the Senator from Kentucky, and also to the minority manager, the Senator from Alaska.

Mr. HUDDLESTON. Mr. President, the distinguished Senator from Colorado has two amendments that are worthy of consideration and that we have agreed to accept. The amounts are not large. They involve a very important energy research area. The authorization was approved by the Senate after the time that the subcommittee developed its recommendations.

The distinguished Senator from Alaska is not on the floor at the moment, but he has assured me that he has no objection, either.

We accept the amendments and move their adoption.

Mr. HASKELL. I move the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment, as modified, was agreed to.

UP AMENDMENT NO. 1621

(Purpose: To increase funding for fossil energy research and development to provide for development of advanced oil shale recovery technology)

Mr. HASKELL. Mr. President, I send another unprinted amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Colorado (Mr. HASKELL) proposes an unprinted amendment numbered 1621.

Mr. HASKELL. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 38, lines 8 and 9, strike out "\$589,753,000" and insert in lieu thereof: "\$594,753,000."

On page 38, line 9, insert after "expended" the following: ", of which \$5,000,000 shall support development of up to four advanced oil shale recovery technologies."

Mr. HASKELL. Mr. President, the proposed appropriation bill provides sufficient funding only to continue existing development efforts, the major portion of the funding being allocated to four different in-site technologies under cost-sharing contracts amended in 1977. I support the continuation of these important demonstration efforts, but I am also concerned that no additional funding

is provided to support the development of several advanced oil shale recovery technologies which have made significant progress in the past year.

These advanced technologies have the potential to improve recovery efficiency, to reduce environmental impact, to increase the total recovery yield, and to reduce costs.

Known potential processes involve such techniques as microwave, radio frequency, vacuum induction, and hydroretorting. Perhaps the best known of these, and one which has received considerable recognition recently is the use of microwave technology.

I recently visited the University of Colorado where the application of microwave technology to the recovery of oil shale has made significant strides. Present in-situ technologies require massive combustion under ground and use huge quantities of water. The microwave approach eliminates the requirement for combustion, greatly reduces the requirement for water and has the potential to reach a greater portion of the oil shale. Similarly, it eliminates the very difficult waste disposal problems associated with above-ground retorting.

The Senate Committee on Appropriations report states that "the committee directs the \$2,700,000 from other oil shale projects be used to investigate innovative above ground hydrogen-retorting processes capable of processing but the Eastern and Western shale deposits."

Hydrogen retorting is only one of the known advanced technologies. No provision is made for development of the other technologies, including microwave.

I propose to increase the oil shale R. & D. appropriation by \$5,000,000 to provide for two to four process demonstration units (PDU's). Under the proposed funding DOE would issue a competitive solicitation, review a variety of potential processes, and select the best of these for further development.

These advanced technologies would eventually augment or replace present above-ground, in situ, and modified in situ retort technologies.

This amendment, too, I believe, has been found acceptable to the distinguished minority manager, the Senator from Alaska.

Mr. HUDDLESTON. Mr. President, I move the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

UP AMENDMENT NO. 1622

Mr. KENNEDY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Massachusetts (Mr. KENNEDY) proposes an unprinted amendment numbered 1622:

On page 40, line 3, delete "legislation," and insert in lieu thereof, "legislation: Provided further, That \$99,475,000 for weatherization shall be transferred to the Community Services Administration upon the enactment of the Economic Opportunity Act Amendments of 1978 or similar legislation.

Mr. KENNEDY. Mr. President, this appropriation bill provides that all weatherization would be administered through the Department of Energy. Last year, the program was divided between the Community Services Administration and DOE.

Mr. President, in most of the areas of the country where the weatherization program has been most successful—I speak of my own State, and I believe I speak for a number of those in the Northeast and elsewhere—that program has been carried out by the Community Action agencies under Community Service Administration regulations. As a matter of fact, some 350,000 homes have been weatherized through CSA while DOE has only weatherized about 5,000.

Mr. President, I propose an amendment which would not affect the total amount of money in the weatherization program, from the increased \$198,950,000 recommended by the committee. But it would retain the division between the Department of Energy and the Community Services Administration.

The Community Services Administration knows where low-income weatherization is most needed, it is already involved in Federal labor efforts to carry out the program and it has a well established relationship with the Community Action agencies who should run the program at the local level.

A further advantage of funding through CSA is that the CSA authorizing statute is not as restricted as the DOE authorizing statute. The CSA authorization allows the purchase of certain equipment, greater flexibility in hiring skilled personnel, a higher limit on expenditures per dwelling and in eligibility for the weatherization program. It seems to be thoroughly justifiable and wise to administer this program in that way.

In a short formal statement, Mr. President, I point out some of the ways in which flexibility exists under CSA which does not exist under DOE for the implementation of this program. I would, in the course of the debate, be glad to go into those in further detail.

The final point I make, Mr. President, is that the Department of Energy's own Consumer Affairs Advisory Committee, on April 28 and August 4 of this year, unanimously voted that the entire low-income weatherization program be permanently placed in CSA. This is the language of the Department of Energy's Consumer Affairs Advisory Committee:

DOE is not as capable as CSA in effectively administering the weatherization program for low-income people consistent with congressional mandate and the broad public interest.

The floor manager was unfamiliar with a letter that 28 Members of the Senate wrote to the Appropriations Committee in April, pointing out support for the weatherization program and for the Community Services Administration to be the administrator of that program. By some way or means, it was not referred to his subcommittee; so that subcommittee did not give consideration to these points. It, in effect, slipped through the cracks.

As the signatories of that, 28 Members

of the Senate have felt that this program should be under the Community Services Administration. We are grateful for the increases in the money over last year's appropriation. It shows the sensitivity of the Committee on Appropriations to provide an increase in the weatherization program. But we are concerned about retaining the administration of that program in the agency which is primarily targeted to the neediest and poorest people in our country.

I had called earlier today, the Secretary of Energy. I mentioned that we were offering this amendment.

I was unable to get a definitive Department position. But I would hope that we could at least accept this amendment and then permit us an opportunity in another year to make a final definitive judgement about which would be the most appropriate agency.

That, basically, is the case. I have a more formal statement and I should be glad to get into a greater explanation of these remarks should it be necessary.

The central mission of CSA is to serve the needs of low-income persons. No other Federal agency has this as its charge.

CSA is the only agency with a delivery mechanism already in place that can provide weatherization services to the poor. The continuing success of this program under CSA is in my view partially the product of the years of operational experience by the Federal Poverty Agency and its nearly 900 CAA's working daily to eradicate the roots of poverty. CSA is service oriented: It knows where low-income weatherization is most needed and can undertake the required outreach. It is already tied in to Federal labor efforts necessary to carry out the program. It has a well-established relationship with community action agencies which would operate the program at the local level.

In addition, CSA can undertake other social services helpful to occupants while weatherizing the dwelling. CSA, through its delegate community action agencies, has structured energy programs for the poor in a manner which integrates other CSA social programs such as employment, housing and economic development, food, and transportation. This makes possible effective mobilization of a wide variety of resources and deals with energy related problems of low-income persons in a manner which would not be possible within DOE.

The report from the Appropriations Committee states that "in approving the full budget request for weatherization assistance to low income homeowners, the committee expects the Department to utilize regulations which, to the fullest extent possible, will be consistent with those for the weatherization program under section 222(a)(12) of the Economic Opportunity Act of 1964, as amended." This is an excellent proviso and should be followed to the fullest. But, because of statutory restrictions, DOE cannot work as effectively on weatherization as CSA.

The language of the Energy Production and Conservation Act under which DOE operates requires that financial assist-